

Message Text

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ACTION ACDA-10

INFO OCT-01 EUR-12 IO-13 ISO-00 FEA-01 ERDA-05 CIAE-00

H-01 INR-07 L-03 NSAE-00 OIC-02 OMB-01 PA-01 PM-04

PRS-01 SAJ-01 SP-02 SS-15 USIA-06 TRSE-00 DODE-00

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FM AMEMBASSY BRUSSELS

LO RUEHC/SECSTATE WASHDC 8764

INFO AMEMBASSY BONN

AMEMBASSY COPENHAGEN

AMEMBASSY DUBLIN

AMEMBASSY LONDON

AMEMBASSY LUXEMBOURG

AMEMBASSY PARIS

AMEMBASSY ROME

AMEMBASSY THE HAGUE

USMISSION EC BRUSSELS

USMISSION IAEA VIENNA

C O N F I D E N T I A L BRUSSELS 00229

E.O. 11652: GDS

TAGS: TECH, MNUC, EC, IAEA, BE

SUBJECT: EURATOM-IAEA SAFEGUARDS AGREEMENT

REF: (A) 76 EC BRUSSELS 12812, (B) 76 STATE 310525,

(C) 76 BRUSSELS 11026 (NOTAL)

1. SUMMARY: WE INFORMED THE BELGIAN GOVERNMENT OF US VIEWS REGARDING EURATOM-IAEA VERIFICATION AGREEMENT AS PER REFTELS A AND B. BELGIAN IMPLEMENTING LEGISLATION IS BEING DRAFTED FOR POSSIBLE PRESENTATION TO PARLIAMENT IN FEBRUARY. IF NO SERIOUS OBSTACLES APPEAR, NECESSARY LEGISLATION MAY BE ADOPTED BY EARLY SUMMER. CONTRACTUAL ARRANGEMENTS ARE BEING SOUGHT BETWEEN THE BELGIAN GOVERNMENT AND NUCLEAR FACILITIES IN ORDER
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TO PERMIT IMMEDIATE IMPLEMENTATION OF SAFEGUARDS FORESEEN IN THE AGREEMENT. PENDING COMPLETION OF THOSE ARRANGEMENTS, EXISTING STRICT EURATOM SAFEGUARDS APPLY. THE BELGIANS REMIND US THAT THEY SHARE OUR CONCERNS ABOUT NUCLEAR NON-PROLIFERATION AND THAT THEY HAVE ALWAYS PARTICIPATED CONSTRUCTIVELY IN THE FORMATION OF INTERNATIONAL NUCLEAR POLICY AND HAVE CARRIED OUT THEIR COMMITMENTS FULLY. END SUMMARY.

2. WE PROVIDED THE TEXT OF REFTEL A AIDE MEMOIRE TO SIMONE HERPELS, COUNSELOR FOR NUCLEAR MATTERS AT THE BELGIAN FOREIGN MINISTRY, ON JANUARY 7. SHE PROMISED TO STUDY IT AND TO CALL THE US GOVERNMENT'S VIEWS TO THE ATTENTION OF HER COLLEAGUES.

3. MLE. HERPELS BROUGHT US UP TO DATE ON THE STATUS OF BELGIAN EFFORTS TO TAKE NATIONAL MEASURES TO CONFORM TO NON-PROLIFERATION TREATY REQUIREMENTS. A DRAFT LAW IS PRESENTLY BEING CIRCULATED TO APPROPRIATE BELGIAN MINISTRIES, MODELED ON THE EC COMMISSION DRAFT REGULATION. BELGIUM IS COORDINATING WITH THE OTHER EC COUNTRIES SEEKING LEGISLATIVE ACTION ON THIS MATTER SO THAT EACH COUNTRY'S STATUTE WILL BE AS NEARLY IDENTICAL AS POSSIBLE. BELGIAN INTERAGENCY COORDINATION AND CLEARANCE IS BEING CONDUCTED ON AN URGENT BASIS AND SHOULD RESULT IN PRESENTATION OF A BILL TO PARLIAMENT EARLY NEXT MONTH. THE GOVERNMENT WILL NOT REQUEST SPECIALLY EXPEDITIOUS HANDLING BY PARLIAMENT BECAUSE OF ITS JUDGMENT THAT PARLIAMENT WOULD NOT ADOPT THE BILL UNDER THOSE CONDITIONS. HERPELS SAID THAT THE GOVERNMENT'S PARLIAMENTARY SUPPORT IS SO DELICATELY BALANCED THAT A POLITICAL CONTROVERSY OVER THE SAFEGUARDS ISSUE COULD BRING THE PRESENT GOVERNMENT DOWN. ACCORDING TO HERPELS, IF THE GOVERNMENT SURVIVES IT IS POSSIBLE THAT THE NECESSARY MEASURES CAN BE ADOPTED DURING THE PRESENT SESSION, WHICH ENDS IN JUNE OR JULY. IF THE GOVERNMENT FALLS AND NEW ELECTIONS ARE CALLED, ALL BETS ARE OFF.

4. IN THE INTERIM, FOREIGN MINISTER VAN ELSLANDE HAS SENT A CONFIDENTIAL

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LETTER (DATED JANUARY 5, 1977) TO ECONOMICS MINISTER HERMAN, REQUESTING HIS MINISTRY TO ENTER INTO CONTRACTUAL ARRANGEMENTS WITH THE BELGIAN NUCLEAR INDUSTRY AS SOON AS POSSIBLE TO GUARANTEE THAT THEY WILL COMPLY WITH THE PROVISIONS OF THE EUROATOM-IAEA VERIFICATION AGREEMENT IMMEDIATELY, WITHOUT WAITING FOR STATUTORY MEASURES TO GO INTO FORCE. THE ECONOMICS MINISTER IS REQUESTED TO CONVOKE THE INDUSTRY AND TO OBTAIN THE WRITTEN AGREEMENT OF ALL AFFECTED BELGIAN NUCLEAR INSTALLATIONS. HERMAN HAS NOT YET RESPONDED TO VAN ELSLANDE'S REQUEST, NOR IS THERE ANY INDICATION AS YET HOW THE NUCLEAR INDUSTRY WILL REACT TO THE PROPOSAL. MLE HERPELS THINKS IT IS POSSIBLE THAT BELGIAN NUCLEAR FACILITIES WILL BE RELUCTANT TO AGREE TO ADDITIONAL CONTROL MEASURES, WHICH THEY MAY REGARD AS DUPLICATIVE OF EXISTING SAFEGUARDS AND UNNECESSARILY BURDENSOME.

5. MLE. HERPELS STATED EMPHATICALLY THAT BELGIUM IS MOVING WITH ALL POSSIBLE SPEED UNDER THE VERY DIFFICULT DOMESTIC POLITICAL CONDITIONS EXISTING AT PRESENT. SHE

ALSO REITERATED POINTS SHE HAS MADE IN EARLIER DISCUSSIONS:

-- THAT BELGIUM LONG AGO TOOK THE DECISION TO DEPEND
ON NUCLEAR POWER FOR A LARGE PART OF ITS ENERGY NEEDS;
--THAT BELGIUM HAS ALWAYS CARRIED OUT ITS NUCLEAR
SAFEGUARDS OBLIGATIONS FULLY AND IN CONSTRUCTIVE SPIRIT
(WHETHER THOSE COMMITMENTS HAVE BEEN LIBATERAL OR MULTILATERAL,
FORMAL--NPT--OR INFORMAL--LONDON SUPPLIERS GUIDELINES); AND
--THAT THE EURATOM SAFEGUARDS SYSTEM PRESENTLY IN
OPERATION IS AS GOOD AS OR BETTER THAN THOSE IN EFFECT IN ANY
OTHER PART OF THE WORLD.

6. MLE. HERPELS OBSERVED IN PASSING THAT SHE KNOWS THE
JAPANESE INSIST THAT THEY WILL NOT AGREE TO SAFEGUARDS MORE
STRINGENT THAN THOSE APPLIED TO OTHER PARTIES TO THE NPT.
BUT SHE POINTED OUT THAT WHEREAS JAPANESE SAFEGUARDS PROVISIONS
ARE CARRIED OUT BY JAPANESE NATIONALS, IN EURATOM THE INSPECTIONS
ARE CARRIED OUT BY NATIONALS OF OTHER MEMBER COUNTRIES.
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THIS DIFFERENCE DETRACTS FROM THE THEORETICAL EFFECTIVENESS
OF JAPANESE SAFEGUARDS. FIRESTONE

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